

removed a long train of difficulties and inconveniences, and was accordingly adopted almost immediately without opposition and
 306 *entirely; as well those provisions for obtaining proof of debts in Great Britain, *Rawlings v. Stewart*, 1 Bland, 22, note; as that section which subjected all lands to be taken in execution and sold for the payment of debts. *Davidson v. Beatty*, 3 H. & McH. 608, 612; *Chancery Proceedings*, lib. W. K. No. 1, fol.

aforesaid, had appeared and sworn or affirmed the matters contained in such affidavit or affirmation *viva voce* in open Court, or upon a commission issued for the examination of witnesses, or of any party in any such action or suit respectively; provided that in every such affidavit and affirmation, there shall be expressed the addition of the party making such affidavit or affirmation, and the particular place of his or her abode.

"2. And be it further enacted by the authority aforesaid, That in all suits now depending, or hereafter to be brought in any Court of law or equity, by or in behalf of his majesty, his heirs and successors, in any of the said Plantations, for or relating to any debt or account, that his majesty, his heirs and successors, shall and may prove his and their debts and accounts, and examine his or their witness or witnesses, by affidavit or affirmation, in like manner as any subject or subjects is or are empowered, or may do by this present Act.

"3. Provided always, and it is hereby enacted, That if any person making such affidavit upon oath or solemn affirmation as aforesaid, shall be guilty of falsely and wilfully swearing or affirming any matter or thing in such affidavit or affirmation, which, if the same had been sworn upon on examination in the usual form, would have amounted to wilful and corrupt perjury, every person so offending, and being thereof lawfully convicted, shall incur the same penalties and forfeitures as by the laws and statutes of this realm are provided against persons convicted of wilful and corrupt perjury.

"4. And be it further enacted by the authority aforesaid, That from and after the said twenty-ninth day of September, one thousand seven hundred and thirty-two, the houses, lands, negroes and other hereditaments and real estates, situate or being within any of the said Plantations belonging to any person indebted, shall be liable to and chargeable with all just debts, duties and demands, of what nature or kind soever, owing by any such person to his majesty, or any of his subjects, and shall and may be assets for the satisfaction thereof, in like manner as real estates are by the law of England liable to the satisfaction of debts due by bond or other specialty, and shall be subject to the like remedies, proceedings and process, in any Court of law or equity, in any of the said Plantations respectively, for seizing, extending, selling or disposing of any such houses, lands, negroes and other hereditaments and real estates, towards the satisfaction of such debts, duties and demands, and in like manner as personal estates in any of the said Plantations respectively are seized, extended, sold or disposed of, for the satisfaction of debts."

Every honest man should by his will charge his real estate with the payment of his debts; he who omits it, is said to sin in his grave.—*Per Ld. Mansfield: Wyndham v. Chetwynd*, 1 Burr. 430.

A singular instance is mentioned of a fraud perpetrated by a bishop who invested his money in land to prevent his creditors from obtaining satisfaction after his death.—1 *Hallam, Const. His. Eng.* 275, note 5.